

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LINETTE JOHNSON, et al.,

Plaintiffs,

v.

CITY OF PHILADELPHIA,

Defendant.

CIVIL ACTION

NO. 19-4264-KSM

ORDER

AND NOW, this 2nd day of June, 2021, upon consideration of Defendant's unopposed Motion for Final Certification of the Collective and Final Approval of Settlement Agreement (Doc. No. 45), and for the reasons stated in the Court's Memorandum granting preliminary settlement approval (Doc. No. 42), it is **ORDERED** that Defendant's Motion (Doc. No. 45) is **GRANTED** as follows:

1. The Court certifies the following settlement FLSA collective:

All persons who are or have been employed by Defendant as Correctional Officers at the Riverside Correctional Facility or Dormitories, who have not been compensated or were paid late, as defined by 29 C.F.R. § 778.106, for overtime, since the adoption of the computerized payroll system known as the One-Philly system which started recording time for the Correctional Officers on or about March 25, 2019 to May 31, 2020. The class of Correctional Officers includes individuals holding the position of Correctional Officers, as well as the positions of Sergeant or Lieutenant (hereinafter defined collectively as "Plaintiffs"). Plaintiffs have worked in excess of forty (40) hours during work weeks since the implementation of the One-Philly system and have not been compensated or were compensated late for overtime.

2. The parties' Settlement Agreement is a fair and reasonable resolution of a bona fide dispute over FLSA provisions.

3. The Court approves the payment to class counsel of \$10,000 to cover attorney's fees and expenses, which the Court finds are fair and reasonable attorney's fees and expenses incurred in the prosecution of this action based on the Court's independent analysis and consideration of the factors set forth in *Gunter v. Ridgewood Energy Corp.*, 223 F.3d 190, 195 n.1 (3d Cir. 2000).

4. The Court awards \$750 each to named Plaintiffs Linette Johnson and Stacey Whitfield as an incentive award.

5. This matter is **DISMISSED WITH PREJUDICE**. The Court will retain jurisdiction over the enforcement of the settlement.

IT IS SO ORDERED.

/s/ Karen Spencer Marston

KAREN SPENCER MARSTON, J.